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TECHNOLOGY CENTER 2100

In re Application of:
ENGLAND, et al.
Application Serial No.: 10/667,612
Filed: September 22, 2003
For: **SECURE EXECUTION OF PROGRAM CODE**

DECISION ON
PETITION *under 37 CFR 1.102*

This is a decision on the petition, filed on November 7, 2005 under MPEP 708.01(I), requesting an expedited action on the merits. This petition has been considered as a request to affirm that this application is under "special" status in accordance with 37 CFR 1.102.

This application is a continuation of SN 09/287,393 filed April 6, 1999.

708.01 [R-2] List of Special Cases, states in part:

(I) Applications pending more than 5 years, *including those which, by relation to a prior United States application, have an effective pendency of more than 5 years.* See MPEP § 707.02. [emphasis added]

In accordance with MPEP section 708.01(I), applications pending over 5 years, including those which by relation to a prior United States application, should be considered special. This application by virtue of its prolonged pendency is considered special in accordance with PTO policy.

Accordingly, the petition is **Granted**.

The examiner will be notified that this application should be considered as "special" and appropriate for expedited action. If the application is subsequently allowed, it will be given priority for printing. See M.P.E.P. §1309.

Brian L. Johnson
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